

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**ALVERENE BUTLER,
Plaintiff,**

v.

**ALABAMA DEPARTMENT
OF TRANSPORTATION, et al.,
Defendant.**

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Civil Case No. 2:06-CV-278-MEF

MOTION TO AMEND COMPLAINT

COMES NOW Plaintiff, by and through her attorney of record, and would move the Court for leave to amend her Complaint and to substitute therefor her First Amended Complaint, attached hereto, and in support of which would show unto the Court as follows:

1. Plaintiff originally filed her Complaint pro se.
2. The Complaint set forth proper claims; however it was unclear as to which defendants were being sued in which capacity and as to which statutory authorities.
3. Plaintiff believes that her First Amended Complaint, which adds no new claims, will greatly streamline the course of litigation in this case.

WHEREFORE, the premises considered, Plaintiff prays that the Court will grant her leave to amend her Complaint by substituting therefor her First Amended Complaint, attached hereto.

RESPECTFULLY SUBMITTED this ____ 8th ____ day of June, 2006.

/s/ JAY LEWIS
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ASB-2014-E66J

CERTIFICATE OF SERVICE

I hereby certify that on the _8th_ day of June, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following parties or counsel:

R. Mitchell Alton, III
Harry A. Lyles
ALDOT
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/s/ JAY LEWIS
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